

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
NOVEMBER 25, 2014

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on November 25, 2014, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

Present: Bunder, Burch, DeBoer, Hunt, and Keen.

Absent: Dietrich and Thomas.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Public Works Director Buck, Facilities Director Clark, Superintendent Fawley, Fire Chief Heath, WWTU Director Henderson, Deputy Police Chief Leroux, Parks Street Commissioner Payne, and Director of Development Poole.

REPORT OF APC REPRESENTATIVE

Councilor Keen reported that the update to the student rental report is available on the County website.

SPECIAL REPORTS:

Redevelopment Commission Spending Plan

Mayor Dennis stated that the Council is a reviewing body of the Redevelopment Commission (RDC) spending plan. Director of Development Poole confirmed for Mayor Dennis that Larry Oates, RDC President, will be at the Council meeting to discuss this item.

PUBLIC RELATIONS:

Council Appointments: Redevelopment Commission (2)

Councilor Hunt stated that Larry Oates and Bob Schauer have both agreed to stay on the Commission.

Clerk-Treasurer Rhodes asked if Mayor Dennis would be making the mayoral appointments as well.

Mayor Dennis stated that he would make that announcement at the Council meeting also.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 33-14 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (Grant Street Station, LLC)(Grant Street Station Retail PD)(PDRS to PDMX)(Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 33-14 by title only.

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, stated that this rezone received a favorable APC staff report and unanimous yes vote. He explained that retail at this

location has been discussed ever since it was rezoned in April 2012. He stated that there have been some minor modifications which still allow for 1.7 or 1.8 parking-to-unit mix, and approximately 1 parking-to-bed mix. He provided a brief overview of three proposals for the removed parking spaces which include an all apartment option, a mix of apartments with approximately 3500 square feet of retail, or a mix of apartments with approximately 7500 square feet of retail. He stated that there is not a specific entity in mind for the retail space at this point, but discussion includes a café or eating establishment. He noted that the parking ratios are above what has been established with West Lafayette and with APC. Mr. Teder confirmed for Councilor Hunt that this property is at the corner of Grant and Harrison Streets and is already occupied.

Councilor Hunt stated that she is concerned about the safety of the pool in an apartment building this big. She asked to have the developers respond to that at the Council meeting.

Councilor DeBoer asked if there is any thought to putting mixed use into the South Street Station development, which has the same owners.

Mr. Teder responded that it was looked at when zoning was first done. It was thought to be more difficult to do there, but it may be something they come back with. He explained that the Grant Street Station is done and full so they are ready to look at it the issue, while the South Street Station property is still under construction.

There was no further discussion.

Ordinance No. 34-14 An Ordinance Providing For Temporary Loans And To Extend The Time For Repayment Of Temporary Loans Outstanding From 2014 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 34-14 by title only.

Clerk-Treasurer Rhodes stated that we have two different circumstances. The first one in Section 1 relates to loans which are needed to carry over through the end of the year. We will not be likely to be able to repay these temporary loans because of delays in receiving remittances. For the Self-Insurance Payment Fund, the COBRA third-party provider has been very late in remitting payments made to them and in correcting billings. Clerk-Treasurer Rhodes stated that from what she understands we will be terminating our relationship with this provider. She expects that all accounts will be reconciled within the next month or so. Clerk-Treasurer Rhodes stated that the SAFER Grant is an ongoing issue with the federal grant administrator, and we have payroll from mid-October for which we are still waiting to receive grant reimbursement. She noted that a SAFER Grant Fund was established to account for all transactions related to this grant. However, in practice the grant has been so slow to reimburse the City that it has had to be run out of the General Fund. Now that we are approaching the end of the year we are going to need a short-term loan. She noted that we are up to date in all of our reporting requirements for the grant. Clerk-Treasurer Rhodes stated that it is not a cash-flow problem for the City, as we certainly have enough to make payrolls, but it is not being charged to the correct cost center, which needs done by year-end. In order to continue the temporary loans past the end of the year, she asked the Council to acknowledge an emergency and that the loans will not be repaid until the end of February 2015, at the latest. Clerk-Treasurer Rhodes stated that the second groups of loans needed are typical loans needed for cash flow purposes before we receive our December settlement. These will be paid back by the end of the year since we will get our settlement before December 31.

In response to inquiries from Councilor Bunder, Fire Chief Heath explained that we request repayment of the salary, and we can only have one request out at a time due to the federal government's rule. If they do not release those funds, we cannot submit a second. He stated that he attempted to make a phone call today.

Councilor Burch asked how the General Fund got short \$1.5 million.

Clerk-Treasurer Rhodes stated that this is in line given that our payroll costs are over \$400,000, and a great deal of that is in the General Fund, and we allow for up to \$100,000 for an average claim run. We have entered the point where we have needed to draw on the Utility and we concluded that we are not going to see an early tax distribution. The County exercises their prerogative to not release the property tax distribution until the full period of time allowed under law. We do make a request to the Auditor and Treasurer every year, and by statute they are required to give us early tax draws when that request is made by the finance officer. However, there is not really any teeth to it; although the statute says "thou must," they do not. She explained that all of the entities have to borrow money to pay the bills until the tax payments are released, including the school corporations and library.

Councilor Hunt stated that we have just made our November installment of property tax, and asked how soon that would be given to us.

Clerk-Treasurer Rhodes responded that they have a specified number of days to release it and she believes the last day or two of December is within the statutory time limit.

There was no further discussion.

COMMUNICATIONS

► Mayor Dennis stated that for the January Council meeting he would like to seek the Council's approval to rearrange the agenda. He stated that Mr. Teder cannot be in two places at the same time, and he has a legislative issue here in West Lafayette and one in Lafayette. He would like the Council to empower him to have his piece of legislation at the top of our agenda. Mayor Dennis asked the Council to allow Mr. Teder's item to be placed at number 4, after the minutes and before the reports. The Council approved the January agenda rearrangement by voice vote.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment. Mayor Dennis adjourned the meeting, the time being 5:51 p.m.